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FISCAL IMPACT REPORT

SPONSOR Harden DATE TYPED 02/28/05 HB _____

SHORT TITLE Abuse of Tort Law Against Firearm Industry SB SM 23

ANALYST Ford

APPROPRIATION

| Appropriation Contained | | Estimated Additional Impact | | Recurring or Non-Rec | Fund Affected |
|-------------------------|------|-----------------------------|------|----------------------|---------------|
| FY05 | FY06 | FY05 | FY06 | | |
| | | | NFI | | |

(Parenthesis () Indicate Expenditure Decreases)

Duplicates
HM 9

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
Attorney General (AGO)

SUMMARY

Synopsis of Bill

Senate Memorial 23 calls upon the New Mexico Congressional delegation to support the end of the abuse of tort laws against the firearms industry.

Significant Issues

The United States Congress is currently considering several pieces of legislation that would preempt state law and limit lawsuits brought by individuals against firearms manufacturers, distributors, dealers, and importers.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Senate Memorial 23 duplicates House Memorial 9.

OTHER SUBSTANTIVE ISSUES

New Mexico is one of 21 states that allows individuals as well as local governments to bring lawsuits against firearms manufacturers, distributors, dealers, and importers.

Twelve states prohibit local governments from bringing such lawsuits but allow individuals to bring lawsuits. Seventeen states prohibit lawsuits brought by both individuals and local governments.

EF/lg